

United States Department of Agriculture,

BUREAU OF CHEMISTRY.

W. G. CAMPBELL, Acting Chief of Bureau.

SERVICE AND REGULATORY ANNOUNCEMENTS. SUPPLEMENT.

N. J. 9601-9650.

[Approved by the Acting Secretary of Agriculture, Washington, D. C., December 10, 1921.]

NOTICES OF JUDGMENT UNDER THE FOOD AND DRUGS ACT.

[Given pursuant to section 4 of the Food and Drugs Act.]

9601. Adulteration and misbranding of canned kidney beans. U. S. * * * v. 65 Cases of Kidney Beans. Consent decree and order for release of product under bond. (F. & D. No. 12172. I. S. No. 9016-r. S. No. C-1751.)

On February 17, 1920, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 65 cases of kidney beans, remaining unsold in the original unbroken packages at St. Louis, Mo., alleging that the article had been shipped by the Central States Canning Co., Indianapolis, Ind., December 4, 1919, and transported from the State of Indiana into the State of Missouri, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: (Can) "Central States Brand Packed by Central States Canning Company * * * Red Kidney Beans" (design of dish with red beans).

Adulteration of the article was alleged in the libel for the reason that long cranberry beans had been mixed and packed with, and substituted wholly or in part for, the said article, to wit, red kidney beans.

Misbranding was alleged for the reason that the above-quoted labeling was false and misleading and deceived and misled the purchaser when applied to long cranberry beans, and for the further reason that the said article was an imitation of, and was offered for sale under the distinctive name of, another article.

On June 2, 1921, the Central States Canning Co., Indianapolis, Ind., claimant, having admitted the allegations of the libel and having consented to a decree, judgment was entered that the product had been unlawfully shipped for sale in interstate commerce, and it was ordered by the court that it be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$300, in conformity with section 10 of the act, conditioned in part that the said product be relabeled as "Naga Uzura Kidney

Beans," and that in the future the term "Kidney" be not used further than necessary to exhaust the stock of beans and labels on hand January 15, 1922.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9602. Misbranding of Wendell's Ambition Brand pills. U. S. * * * v. 228 Packages of Wendell's Ambition Pills. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 13701. I. S. No. 6300-t. S. No. E-2760.)

On September 17, 1920, the United States attorney for the Middle District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 228 packages of Wendell's Ambition Brand pills, at Scranton, Pa., alleging that the article had been shipped on or about June 16, 1920, by the Wendell Pharmacal Co., Syracuse, N. Y., and transported from the State of New York into the State of Pennsylvania, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the pills contained strychnine, brucine, quinine, and aloin.

Misbranding of the article was alleged in substance in the libel for the reason that the following statements appearing on the carton containing the article, regarding the curative and therapeutic effects of the said article, were false and fraudulent inasmuch as the said article contained no ingredient or combination of ingredients capable of producing the effects claimed: "* * * Pills Ambition Brand Beneficial in the treatment of Nervousness, Nervous Debility, Sleeplessness, Despondency, Mental Depression, Hysteria, Nervous Headaches, Dyspepsia, Indigestion * * * Affections of the Nervous System."

On May 27, 1921, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9603. Adulteration of cocoa beans. U. S. * * * v. 1,046 Sacks of Cocoa Beans. Consent decree of condemnation and forfeiture. Product released on bond. (F. & D. No. 13727. I. S. No. 6338-t. S. No. E-2781.)

On September 30, 1920, the United States attorney for the Eastern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 1,046 sacks of cocoa beans, remaining unsold in the original unbroken packages at Brooklyn, N. Y., alleging that the article had been received on or about April 1, 1920, having been theretofore shipped by Alexander Roberts & Co., and transported from Africa into the State of New York, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it consisted in whole or in part of a filthy, decomposed, and putrid vegetable substance.

On October 20, 1920, The Chocolate Refiners, Inc., Mansfield, Mass., claimant, having admitted the allegations of the libel, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to said claimant upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$2,000, conditioned in part that the article be cleaned, subject to the supervision of the Bureau of Chemistry of this department, and not disposed of contrary to law.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*